



Zoning Administrator NOTICE OF DECISION

Date: July 23, 2015
Applicant: Haul AB, LLC
Case No.: DRC-14-14
Site Address: 2590 Main Street, 1660 Silvas Street, Chula Vista, Ca.
Project Planner: Richard E. Zumwalt, A.I.C.P.

Notice is hereby given that on July 23, 2015, the Zoning Administrator considered an Administrative Design Review application and plans filed by Haul AB, LLC (Applicant), requesting approval of the Republic Services Office Headquarters and Repair Shop project located at 2590 Main Street and 1660 Silvas Street in Chula Vista, CA.

The project proposes demolition of an existing 1,000 square foot building and construction of a new 17,200 square feet, 25 foot high office and repair shop building, associated landscaping and a 44 space parking lot with access driveways, on the southerly portion of the site. The Project site is 1.34 acres in size. The site has a zoning designation of Commercial Thoroughfare-Precise Plan (CT-P), and a General Plan Designation of Commercial Retail (CR), which allows a variety of commercial uses, including offices.

The Development Services Director has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-Fill Development) of the State CEQA Guidelines. The project qualifies for a Class 32 exemption because the project is consistent with applicable General Plan and zoning designation and policies, is located on a site which is less than 5 acres in size and surrounded by urban development; has no value as habitat for rare, threatened or endangered animal or plant species; would not result in significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately served by all required public utilities and services. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Chula Vista Municipal Code (CVMC) Section 19.14.582.C, and based on the applicable design guidelines of the Design Manual, has conditionally approved the Project, based upon the following findings:

- 1 That the proposed development is consistent with the development regulations of the Chula Vista Municipal Code, and other applicable regulatory documents;*

The project is consistent with the Zoning Ordinance, Chapter 19 of the CVMC because the project proposes construction of an office and repair shop building which are uses that are permitted in the CTP zone. The project would be designed to comply with the applicable development standards of the CTP zone.

2. *The design features of the proposed development are consistent with, and are a cost effective method of satisfying the City of Chula Vista Design and Landscape Manuals.*

The project design includes a variety of architectural elements, including the addition of metal single-story roof elements and storefront window and door entry systems that will highlight the proposed suite entries of the front (south and east) elevations of the building. The building proposes a variety of materials and colors including stucco, split-face concrete masonry, metal siding, and an earth-tone color palette, that will enhance the appearance of the building. The Project includes development of a parking lot and installation of landscaping that will be designed to comply with the City's Design and Landscape Manual standards. Therefore, the design is consistent with the Commercial Design guidelines of the Design Manual.

CONDITIONS OF APPROVAL

The following conditions of approval shall be satisfied by the Applicant and/or Property owner to the satisfaction of the Director of Development Services Department prior to the issuance of the building permit for the Project, unless otherwise specified in the conditions of approval:

DEVELOPMENT SERVICES DEPARTMENT:

PLANNING DIVISION:

1. The Project Site shall be improved and maintained in accordance with the DRC-14-14 plans submitted March 18, 2015 and approved July 23, 2015, which include the site plan, floor plan, elevations, and revised concept landscape plan dated June 17, 2015, subject to the following conditions contained herein, and the Zoning Ordinance (Title 19).
2. The Property Owner or authorized representative shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and the Applicant have each read, understood and agreed to the conditions and land use operation modifications contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department, within 30 days of the approval date. Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the Property Owner's and Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

Signature of Property Owner

Date

Signature of Authorized Representative

Date

3. The Applicant shall obtain approval of a Sign Permit from the City for construction or modification of any proposed signs. Signs shall comply with the Sign Ordinance, CVMC Chapter 19.60, including the CVMC 19.60.560, Commercial Thoroughfare (CT) zone sign regulations.
4. The Applicant shall submit building plans for review and approval by the City, including the following exterior improvements:
 - a. Submit a detailed wall plan with the building permit application, including a site plan, elevation and cross-section showing the design, color and materials of the combination wall and wrought iron fence and the gate across the driveway. The walls and fences shall be a minimum of 6 feet in height. The color and materials of the walls shall blend with the design of the existing building. The plan shall include details of the gate on the site plan and elevation. Gates across a driveway require review and approval of the Fire Department.
 - b. Roof drains shall be directed to drain into the existing landscape areas before discharge into storm drainage systems where feasible.
 - c. If external down-spouts are proposed for roof- drainage, they shall be painted to match the background wall color.
 - d. Garage doors shall be finished with non-reflective material or paint.
 - e. Provide updated colored elevation that matches the color/material board, for review with the building permit submittal. The final building colors shall be approved by the Development Services Director prior to approval of the building permit.
 - f. Trash enclosures shall comply with City standard trash enclosure drawings to the satisfaction of the Public Works – Environmental Services Division and Development Services Department – Land Development Division.
 - g. Trash enclosures shall be provided with a solid roof with minimum height of 10 feet to the lowest point of roof.
 - h. The site shall be graded in such a way as to prevent run-on into, and run off from, the trash enclosure area
5. Submit a revised site plan with building permit application including the following corrections:
 - a. Revise the parking table to show shop/warehouse required parking at a ratio of 1 space per 1,000 square feet of floor area; and updated calculation for proposed and required parking.
 - b. Revise the parking lot design as follows:

- i. Show one 10 foot by 25 foot loading space in the parking lot;
 - ii. Delete two parking spaces shown on the east side of the shop/warehouse building;
 - iii. Remove wheel stops except where adjacent to vertical obstructions such as a wall or fence;
 - iv. The proposed parking space depth of a minimum of 18 feet requires a 1 foot overhang beyond curb;
 - v. For an 18 foot deep space, show widening of adjacent sidewalk or landscaping by 1 foot to compensate for vehicle overhang and to meet minimum sidewalk and landscape width standards;
 - vi. Provide 24 foot wide, two-way driveways;
 - vii. Provide 24 foot deep vehicle backing areas clear of obstructions such as parking spaces or bollards;
 - viii. Alternatively, 19 foot deep parking spaces per City requirements can be provided as an alternative to the proposed 18 foot deep spaces with 1 foot overhang.
6. Prior to issuance of the building permit, the Applicant shall pay in full any unpaid balance for the Project, including Deposit Account No. DQ1802.
7. Prior to approval of the building permit, the Applicant shall submit a noise letter report prepared by a qualified acoustical consultant demonstrating that noise levels generated by the roof-mounted HVAC equipment estimated at the adjacent commercially-zoned property to the west, and industrial-zoned property to the north, would comply with Noise Control Ordinance standards. The noise level at the adjacent commercial property line that would exceed the City's Noise Control Ordinance exterior noise standards is 60 dBA Leq during hours of 10 pm to 7 am (weekdays) and 10 pm to 8 am (weekends); and 65 dBA Leq during the hours of 7 am to 10 pm (weekdays) and 8 am to 10 pm (weekends). The noise level at the adjacent industrial property line that would exceed the City's Noise Control Ordinance exterior noise standards is 70 dBA Leq, 24 hours a day, seven days a week. This standard may be achieved by selection of equipment with low noise levels, or placement of equipment in a way that maximizes the distance to the property lines and uses buildings or other structures as noise barriers between equipment and property lines, or providing noise reduction enclosures around the equipment, such as an enclosure wall or parapet roof.
8. The Applicant shall ensure that the project operates in compliance with the Performance Standards, CVMC Chapters 19.66 and Performance Standards and Noise Control, Chapter 19.68.
9. This Design Review permit authorizes only the improvements specified in the project description for DRC-14-14 included in the project application and plans. Any new improvements, modification/expansion of improvements or other activities not authorized under this Design Review permit shall be subject to the review and approval of the Zoning Administrator.

10. This Design Review permit shall become void if not used or extended within three years of the effective date thereof in accordance with Section 19.14.600 of the Chula Vista Municipal Code. Failure to comply with the conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation.
11. Approval of this Project shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Design Review Permit.
12. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. The applicant or a successor in interest gains no vested rights by the City's approval of this Design Review Permit.
13. The Applicant shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this design review permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant shall acknowledge their agreement to this provision by executing a copy of this design review permit where indicated, above. Applicant's compliance with this provision is an express condition of this design review permit and this provision shall be binding on any and all of Applicant's successors and assigns.

BUILDING DIVISION:

The Applicant shall submit the required application, plans and fees for building permits, to the satisfaction of the City Building Official, that comply with the following requirements:

14. The Building Permit shall comply with all applicable codes and requirements, including but not limited to the 2013 California Building Code (CBC) and Ca. Handicapped Accessibility requirements, 2013 California Electrical Code, 2013 Fire Code, 2013 California Energy Code, and 2013 California Green Building Standards, as adopted and amended by the State of California and City of Chula Vista. Approval from the Planning, Engineering or Fire Department is required prior to permit issuance.
15. This project shall be designed by an Architect or Engineer licensed by the State of California. [California Business and Professional Code 5536.1, 6735].

LANDSCAPE ARCHITECTURE DIVISION:

16. The Applicant shall submit a detailed landscape plan prepared by a California Licensed Landscape Architect for review and approval with the building permit submittal, which is in substantial conformance with the Concept Landscape Plan, and designed per Landscape Manual and CVMC requirements.
17. The final landscape plans shall show that any trees located within 10 feet of any sidewalk, wall, footing, patio, or any other type of hardscape surface shall have a root barrier installed to a depth of 18 inches minimum, running parallel to the hardscape for an overall distance of 20 inches centered on the tree trunk.

ENGINEERING–LAND DEVELOPMENT DIVISION:

The following conditions of approval shall be satisfied by the Applicant prior to issuance of the building permit, construction permit or at the timeframe specified in the condition, as determined by the Land Development Division:

General Comments and Fees:

18. The following fees shall be paid by the Applicant, based on the Final Building Plans submitted. Fees are charged for the project only, in excess of current land use:
 - a. Sewer connection and capacity fees;
 - b. Traffic Signal Fees;
 - c. Public Facilities Development Impact Fees (PFDIF);
 - d. Western Transportation Development Impact Fees (WTDIF);
 - e. Other Engineering Fees as applicable per the Master Fee Schedule.
19. Additional deposits or fees in accordance with the City Subdivision Manual, and Master Fee Schedule shall be paid for the submittal of the following items:
 - a. Grading Plans;
 - b. Construction Permit.

Sewer:

20. Provide sewer lateral and storm drain connections to existing public utilities. The Public Works Operations Section will need to inspect any existing sewer laterals and connections that are to be used by the new development. Laterals and connections may need replacement as a result of this inspection.

21. For the proposed private sewer facilities, manholes shall be used where 6 inch mains or larger are connected to public sewer.

Storm Water Management:

22. The Applicant acknowledges that, pursuant to the NPDES Municipal Permit Order No. R9-2013-0001, new regulations are in effect as of May 2015, which may impose additional requirements on development projects that have not begun construction at that time.
23. Permanent storm water requirements, including site design, source control, treatment control, and hydro-modification control Best Management Practices (BMP's), all as shown in the approved WQTR, shall be incorporated into the project design, and shall be shown on the plans. Provide sizing calculations and specifications for each BMP's. Any structural and non-structural BMP requirements that cannot be shown graphically must be either noted or stapled on the plans.
24. The Applicant shall pay the additional deposit or fee for the construction permit in accordance with the City Subdivision Manual and Master Fee Schedule with the submittal.

Public Improvements:

25. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required, as necessary.
26. Any improvements in the right-of-way beyond the project limits shall be designed and constructed as to not interfere with adjacent businesses, as approved by the City Engineer.
27. The construction and completion of all improvements and release requirements shall be secured in accordance with Section 18.16.220 of the Municipal Code.

Private Onsite Improvements:

28. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.
29. All proposed sidewalks, walkways, pedestrian ramps, and disabled parking shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 standards, as applicable.

Mapping:

30. Prior to Parcel Map, Final Map, Grading or Street Improvement Plan approval, the Owner/Applicant shall upload copies of the Street Improvement Plan, Grading Plan, Final Map and Site Improvement Plan in digital format such as AutoCAD DWG or DXF (AutoCAD version 2000 or above), ESRI GIS shape file, file, or personal geodatabase (ArcGIS version 9.0 or above). The files should be transmitted directly to the GIS section using the city's digital submittal file upload website at <http://www.chulavistaca.gov/goto/GIS>. The data upload site only accepts zip formatted files.

Chula Vista Municipal Code Requirements:

31. All utilities serving the subject property and existing utilities located within or adjacent to the subject property shall be under grounded in accordance with the Chula Vista Municipal Code Section. Further, all new utilities serving the subject property shall be under grounded prior to final inspection of the Building Permits.

FIRE DEPARTMENT:

The following conditions of approval shall be satisfied by the Applicant prior to issuance of the building permit for the project:

General:

32. The Applicant shall apply for required building permits. Permits shall comply with applicable codes and requirements, including but not limited to: the current California edition of Building Code (CBC), Fire Code (CFC), and Mechanical Code as adopted and amended by the State of California and the City of Chula Vista.

Fire Department Underground Fire Service Utilities:

33. For 17460 square feet of Type IIB and V-B mixed construction, this project will require a fire flow of 3000 gallons per minute for 2-hour duration at 20 p.s.i.
34. Based upon the required fire flow for Type IIB and V-B mixed construction type, a minimum of 3 fire hydrant(s) are/is required to serve this project.
35. Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the building, on site fire hydrants and mains shall be provided.
36. Fire hydrants shall be located and spaced in accordance with California Fire Code, Appendix C. Based upon the required fire flow, fire hydrants shall be spaced at an average of 400 feet and no distance from any portion on an apparatus access road to a hydrant shall exceed 225 feet.

37. Water supply data is required to accompany an underground submittal. An official water flow letter can be obtained from the respective water authority. The water flow requirements shall be based upon the currently adopted California Fire Code. The date of the water flow test shall be no older than six months from the time of the plan submittal. No reductions in fire flow will be granted for buildings protected throughout by an approved automatic fire sprinkler system.

Fire Department Access:

38. Fire apparatus access roads shall be provided for every facility or building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building.
39. Fire apparatus access road dimensions shall be a minimum of 20 feet in width and have an unobstructed vertical clearance of 13 feet 6 inches.
40. Fire apparatus access roads shall be marked as Fire Lanes in accordance with CVFD standards.
41. Fire apparatus access road obstruction: Automatic gates shall be provided with both an Opticom Detection System and a Knox Key Switch override. Provisions shall be taken to operate the gate upon the loss of power.
42. The building(s) shall be addressed in accordance with the following criteria:
- a. 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - b. 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
 - c. 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA, CALIFORNIA, this 23rd day of July, 2015.



Michael W. Walker,
Zoning Administrator

cc Scott Smith, AIA, 26626 Guadiana, Mission Viejo, CA. 92691
Haul AB, LLC, 529 E. Oak Hollow Ct , Bountiful, UT. 84010
Horn Partners, P.O. Box 386, Bountiful, UT. 84011
Miguel Tapia, Senior Planner
Lou El Khazen, Building Official